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REMARKS

OF

HON. EDWARD T. TAYLOR

OF COLORADO

IN THE

HOUSE OF REPRESENTATIVES

DECEMBER 9, 1911

INCLUDING SPEECH

OF

GOVERNOR JOHN F. SHAFROTH

OF COLORADO

ON CONSERVATION OF OUR
NATURAL RESOURCES

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REMARKS
OF
HON. EDWARD T. TAYLOR,
OF COLORADO.

Mr. TAYLOR of Colorado said:

Mr. SPEAKER: At the meeting of the Trans-Mississippi Commercial Congress, held in Kansas City, Mo., on the 11th of last month, Gov. Shafroth, of Colorado, delivered an address which so forcibly presented the rights of the West and so clearly exposed some of the evils of the leasing of the public domain that his remarks attracted wide attention and favorable comment throughout the country. He showed in a masterly manner the distinction between real conservation of our natural resources by the prevention of waste and monopolization, and the policy which makes of conservation a mere mask under which lies concealed the purpose of a perpetual Federal ownership and interference in the necessary use and development of the country. His address set forth so forcibly the evils of bureaucratic rule and the infringements upon the rights of the West that are now being practiced by this administration, and proposed to be extended and enlarged upon, that I feel his address in full should be printed in the CONGRESSIONAL RECORD for the general information of the country.

I therefore ask unanimous consent to extend my remarks in the RECORD by incorporating the address of Gov. Shafroth delivered at Kansas City.

The SPEAKER pro tempore. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD, including an address by the governor of Colorado. Is there objection?

There was no objection.

SPEECH OF GOV. JOHN F. SHAFROTH, OF COLORADO,
AT THE TRANS-MISSISSIPPI COMMERCIAL CONGRESS, AT KANSAS CITY, MO.,
NOVEMBER 15, 1911.

MR. CHAIRMAN, DELEGATES TO THE TRANS-MISSISSIPPI COMMERCIAL CONGRESS, AND LADIES AND GENTLEMEN: There has been a strong sentiment in the East in favor of conservation of the natural resources of the public domain. All rational people are in favor of such conservation, if by that term is meant prevention of waste. But the sentiment has gone further, and has assumed the meaning of making enormous forest reserves, and taxing the natural resources of the public domain by means of leases of grazing, oil, phosphate, asphaltum, coal, and mineral lands for the benefit of the Federal Treasury, and of making water-power plants pay a royalty to the National Government for each horsepower generated by falling water. The recent conservation congress adopted resolutions indorsing such a policy.

Fifteen million acres of land in Colorado have been set aside as forest reserves and 9,425,239 acres of coal land have been withdrawn from entry until reclassified, and on reclassification there has been placed such enormous values upon the same (in some instances as high as \$400 per acre), that it practically operates as an absolute withdrawal of all the coal lands from entry. This is an

enormous area and is equal to that of Massachusetts, Connecticut, New Hampshire, and Rhode Island combined.

Most of these forest reserves are on the mountains, situate more than 7,500 feet above sea level, where nature has decreed that large timber can not grow, and many millions of acres are above timber line, where no timber whatever can grow.

It has been estimated that of the forest reserves in Colorado 30 per cent contain good merchantable timber, 30 per cent scrub timber, and 40 per cent no timber at all. Thus 70 per cent of the forest reserves in Colorado have no connection whatever with forestry. It is ridiculous to contend that these reserves can be reforested in Colorado, because, according to a report of the Agricultural Department, it takes in my State 200 years to grow a pine tree 19 $\frac{1}{2}$ inches in diameter at an altitude of 7,500 feet above sea level.

This is not a partisan question, as President Cleveland set aside 25,686,320 acres of forest reserves in the West, and President Taft, in his message to Congress of December 6, 1910, declared that these are not questions pertaining to partisan politics. Nine-tenths of the Senators and Representatives of these Rocky Mountain States, irrespective of political affiliations, are opposed to this policy. The total area of the forest reserves established by the Presidents up to this time amounts to 192,931,197 acres.

PUBLIC DOMAIN HELD IN TRUST FOR SETTLEMENT BY CITIZENS OF ALL THE STATES.

Congress, time and again in its acts, has referred to all of that property acquired by the National Government as the "public domain," and, in all references to the same, has never intimated that such lands should be retained in perpetuity by the Government. Until recently it has been held, as its name implies, in trust by the Federal Government for the benefit of those citizens of all the States who will settle upon, develop, and improve the same. Not even residence in the State is required in order to locate a gold, silver, or mineral mine, a claim under the coal, timber, or stone acts. Certain improvements and payments only are necessary, and the work can be done by hired men. The right to so locate claims constitutes the interest which every citizen of the United States has in the public domain. It is truly a domain for the public.

It has never been the policy of the United States to make money out of its lands. The sums charged are presumed to amount to very little more than sufficient to cover the expenses of properly regulating the disposition of the same.

It has been well recognized in all countries that they must have lands for colonization; for relieving the congested population of their cities, so as to make better and more prosperous citizens.

The people of the original States obtained title to their lands at insignificant prices, the consideration named being a penny or a peppercorn.

At the formation of the Government the original States owned all the lands extending from the Atlantic to the Mississippi River. The States recognized that all of this western territory should be inhabited and erected into prosperous States, so that wealth could be added to the country, and a force of brave and patriotic citizens be reared therein, ready to respond to the call of the Nation in times of need.

The original States granted to the National Government all of that territory lying between the Alleghany Mountains and the Mississippi River. This was done, not for the Nation to hold in perpetuity or out of which to make profit, but in order that the territory might be speedily and properly developed. They recognized that the lands were worth nothing without people could be induced to settle upon and develop them.

All of the large acquisitions by the Government have been paid for in money. The Louisiana purchase cost \$15,000,000; the Florida purchase, \$5,000,000; the Mexican acquisition, \$15,000,000; the Gadsden purchase, \$10,000,000; and the Alaskan Territory, \$7,200,000. They amounted to 1,849,720,587 acres of land, costing, including interest paid, \$88,157,389.98, or an average of 4.7 cents per acre.

The Government has constantly pursued the policy of disposition of the agricultural, grazing, and mineral lands to the best interest of those people who would go from any part of the Union and settle upon, locate, and develop the same, and it was not until during the last 8 or 10 years that we have heard people seriously contend that a revenue should be derived for the National Treasury from the leasing of these lands.

This Rocky Mountain region was the least inviting to the pioneer. It was Daniel Webster who used this language as to the western territory which we acquired from Mexico:

"What do we want of that vast and worthless area, that region of savages and wild beasts, of deserts, of shifting sands and whirling wind, of dust, of cactus and prairie dogs? To what use could we ever hope to put those great deserts and those endless mountain ranges, impenetrable and covered to their very base with eternal snow? What can we ever do with the western coast, a coast of 3,000 miles, rockbound, cheerless, and uninviting?"

The Government recognized that it was the explorers, settlers, and developers who made the value of everything in a wild and uninhabited country; that if the lands were not exploited and improved they would remain as worthless as they had been for 6,000 years.

Under this general policy of rewarding the pioneer citizens of the United States in the development of the natural resources of the public domain, thousands of people crossed the trackless desert for California, and there discovered the richest gold fields ever known in the history of the world. These gold mines were upon the public domain. There was no law providing for the location of mines. The miner locating gold fields in California could have been considered by the Government a trespasser and liable to refund to the Government the value of all the gold extracted; but under the policy of the Government as to the settlement of lands in Ohio, Indiana, Illinois, and Missouri no one ever suggested that the miner was not entitled to the fruits of his discovery; and the miners themselves proceeded to frame rules and regulations as to the manner of locating and developing the mines. These rules and regulations afterwards were enacted into laws by Congress, not for profit to the National Government, but for the production of the greatest wealth to the Nation and benefit to the citizens thereof.

Under that policy there has been a development of the western country unparalleled in the history of the world. Three billions of dollars in the precious metals, produced at a cost of perhaps that amount of money, but turned into the channels of trade, have contributed largely toward making this country the most prosperous nation on earth. It is the increase of basic money that has always given a quickening impulse to business and commerce. An enormous development has been produced in all the other industries of that region.

ROCKY MOUNTAIN STATES ADMITTED INTO THE UNION AFTER PUBLIC-LAND POLICY HAD BEEN FIXED.

It was while this policy of the Government of holding the public domain in trust for the benefit of those citizens of all the States who would settle upon, locate, develop, and improve the same was thoroughly recognized, having been

pursued since the foundation of the Government, that the Rocky Mountain Territories each applied for admission to the Union. The act of Congress enabling the people of each Territory to form a State government provided that "the State, when formed, shall be admitted into the Union upon an equal footing with the original States in all respects whatsoever."

At that time no power existed in the President or any other officer to permanently withdraw lands from entry or location either for agricultural, mining, timber, stone, or coal purposes. The laws providing for disposition of the lands had been fixed for years, and no officer was vested with power to change those laws. The fact that all the laws provided for the settlement, location, development, and improvement of all the public domain and did not provide for the Government retaining any part thereof, excepting for military purposes and purely governmental uses, shows conclusively that the policy was intended to be fixed in favor of the disposition of the lands as against the perpetual ownership of the same by the Government.

The enabling act of each State, as did similar acts of all the States of the Mississippi Valley, provided that the property held by the Nation until disposed of should be exempt from taxation. There had been no effort upon the part of the Government to hold in perpetuity lands in the Mississippi Valley, and the people of the Rocky Mountain region had a right to presume that the same policy would be pursued as to the new territory. Yea, more, this fixed policy constituted a construction which the National Government had placed upon all enabling acts, inducing settlement and development, and thereby had made it an implied agreement with the Western States admitted thereafter into the Union that lands should not be held in perpetuity by the Government.

Now it is proposed, by bills introduced in Congress and advocated by the followers of Mr. Pinchot, to change this policy, to impose royalties upon powers generated by falling water, and to lease the oil and phosphate lands and the coal and metalliferous mines upon a rental basis payable to the Treasury of the United States. No other States have had their natural resources taxed by the National Government, and we deem it is unfair that the people of the States which had all the products of their natural resources for themselves should now require, through their Senators and Representatives, these less-favored States in the West to not only undertake the development of the natural resources of these States, but to pay into the Federal Treasury a tax upon the very development thereof.

LEASING OF NATURAL RESOURCES MEANS PERPETUAL OWNERSHIP IN THE GOVERNMENT—
EXEMPTION FROM TAXATION FOREVER.

What does the leasing of the natural resources of the mountain States mean? It means perpetual ownership in the National Government, and that means exemption from taxation forever.

Perpetual exemption from taxation of vast territory in a State is almost destructive of the development of that State. It is an injustice which it seems to me every fair-minded person must recognize. The State must maintain government for State, county, and school purposes over all the lands within its borders, whether reserved or not.

In the West the taxes upon land for a period of 30 years, including reasonable interest upon each yearly payment, amount to the value of the land. Therefore, when the lands privately owned must pay all of the taxes for State, county, and school purposes it is equivalent to them paying every 30 years, in addition to their just taxes, an amount equal to the value of the public lands. Thus the people of these States must pay for these public lands every 30 years and yet

never own a foot of the same. Is that right; is it just; is it the way a parent would treat a child? Is it a compliance with the enabling acts, which provide that each State is "admitted into the Union upon an equal footing with the original States in all respects whatsoever"?

The National Government was formed for national affairs and the State governments for local control. It was a dual form of government, a partnership in which the people of each were interested in and a part of the other; both were necessary, and both must be supported by taxes. It would not have been right for the States alone to have the power of taxation, nor that the Nation alone should possess that power, because, by this dual form of government, there was imposed upon each certain duties, the performance of which required revenues. Now, would it have been right for the States to cripple the National Government in the raising of revenue, or for the National Government to hamper the States in their exercise of such an indispensable power? The power of taxation is the most important of all governmental prerogatives. It is the very foundation upon which the administration of law is builded, and without it the superstructure must fall. It is the very law of its being.

At the formation of the Articles of Confederation there were no powers of taxation given to the confederation, and it relied for its existence upon contributions from the States which formed the Union. It was so difficult to get taxes from all of the States that it became necessary to dissolve it and to frame a constitution giving powers of taxation to the National Government, which the States did.

The National Government, then and ever since, has exercised the power of taxation upon imports and upon certain products made subject to internal-revenue duties, while the States have exercised that power almost entirely upon lands and personal property.

In the distribution of the powers of taxation by this general consent the Federal Government has obtained great advantage; its revenues have been so enormous that it has been difficult to devise ways of spending the amounts thus collected. It was Senator Aldrich who stated not long ago that he could curtail the expenses of the Government to the extent of \$300,000,000 per annum without detriment to the public service. The States being principally limited to taxation upon real and personal property have always had scant amounts with which to maintain their administrations. Every State in the Union is now limited in its work by reason of the small revenue derived from direct taxation.

The Constitution of the United States has imposed upon each State the duty of maintaining a government, republican in form, over all the territory within its boundaries. In order to do this it is necessary to have full sets of State officers, of county officers, of township officers, and full sets of school officers and employees.

When we consider what is required of a State to comply with this provision of the Constitution the burdens of the States, in the aggregate, are much larger than those of the Nation. The National Government supports but 1 Congress, consisting of 2 branches; the States support 48 legislatures, composed of 2 houses. The Nation supports 1 Chief Executive, while the States support 48. The Government has 1 Supreme Court; the States have 48. The United States has but 1 district judge in my State, but the State must maintain 19 district judges in order to enforce the law. And all this is done for the benefit of the Nation as well as the States. It takes administration of laws, both national and State, to make a Republic. In the States there are 48 secretaries of state, 48 auditors, 48 treasurers, and 48 attorneys general, and each must have a large force of employees.

In order to carry out this partnership of government it devolves upon the State and not the Nation to maintain a university, a normal school or schools, an agricultural college, and a school of mines. It is necessary for the State government to maintain a penitentiary, a reformatory, an insane asylum, an industrial school for boys, an industrial school for girls, a home for mental defectives, a home for dependent children, an educational institution for the deaf and blind, a workshop for the blind, an immigration board, a public printer, a land board, a highway commission, a cattle inspection board, a metalliferous mining bureau, a coal mining department, a public accountancy bureau, a tax commission, an engineering department, a board of charities and corrections, the National Guard with their armories, a railroad commission, a bureau of child and animal protection, a State historical and natural history department, a health board, medical board, agricultural board, horticultural board, labor department, oil inspectors, civil service commission, a State library, and supreme court library, all of which require many employees and an enormous expenditure upon the part of the State. Then it is necessary for the State to meet all of those extraordinary expenses arising from riots and insurrections, which in many of the States amount to millions of dollars. My own State recently issued bonds for such a debt which amounted to \$960,000.

The Nation expects the States to provide all of these means which are requisite to good government. But these are not all the expenses required; each county must have a sheriff, treasurer, recorder, assessor, and their deputies; a probate judge, county commissioners, constables, and justices. Courthouses must be built, jails and hospitals erected, highways and bridges constructed and maintained, and other enormous expenditures must be made by the counties.

But that is not all. In order to maintain and have a State government republican in form, in compliance with the constitutional provision of the United States, it is necessary to have a public-school system. It is the intelligence of our voters that insures the safety of the Republic. The Nation is as much interested in the intelligence of its voters as are the States. It is true the Government has granted some lands for school purposes to the Rocky Mountain States, but it also did to the States of the Ohio and Mississippi Valleys. The income from them is insignificant compared to the cost of maintaining the schools. In Colorado such income now is \$1.38 for each eligible pupil per annum. In my own State we have 5,200 teachers, instructing 168,798 pupils. The public-land States of the Union have 72,072 teachers, instructing 2,079,818 pupils. Millions upon millions must be expended in the erection and maintenance of school buildings. What a vast army of high-grade employees is it necessary for the States to pay, and what an enormous burden are all of these duties upon the State governments. If State and Territorial lines were obliterated and the National Government unital, it would have to provide for all of these expenditures, as all of them are necessary to good government.

Is it right that all of these expenses should be imposed upon the States, counties, and districts of the Rocky Mountain region for the purpose of maintaining government over all the lands within their borders, whether reserved or not, and the Nation contribute nothing by way of taxes upon the millions and millions of acres of land which this new policy proposes to exempt from taxation forever? Is it right that 9,425,239 acres of coal land in Colorado, valued by the National Government at about a billion of dollars, should not contribute one cent to these expenses of government so necessary to the Republic itself? "You take my house when you do take the prop that doth sustain my house."

Is it any wonder that no one until within the last few years has had the effrontery to propose the change of the policy of disposition of the public domain to that of perpetual ownership in the National Government?

This new policy would not only deprive the States of the means of raising the necessary revenues to establish and maintain good government, but in addition to that injustice the advocates thereof propose to make revenue for the Federal Treasury by taxing the natural resources of the West. By so doing they propose to make the Mountain States pay an undue proportion of the burdens of the National Government.

It has been estimated by the Geological Survey at Washington that there are contained within the boundaries of the State of Colorado 371,000,000,000 tons of coal. More than three-fourths of this coal is upon the public domain. If a rental of 10 cents a ton is to be imposed upon that natural resource of the State of Colorado, it would mean ultimately that the citizens of our State must contribute \$27,000,000,000 to the Federal Treasury. This tax is advocated on the ground that it will prevent waste. According to this geological report Colorado alone has sufficient coal to supply the world, at the present rate of consumption (of about one and a quarter billion tons per annum), for 300 years. Although my State is now mining 11,000,000 tons of coal a year, yet our production for 50 years has exhausted only one-half of 1 per cent of our coal deposits.

It has been estimated by the authorities at Washington that from 1,000,000 to 2,117,000 horsepower can be generated from falling water in the State of Colorado. If the Government is to charge \$1 per horsepower as a rental for a temporary right of way for transmission lines, and conducting that water on Government land until it attains a height sufficient to generate power, it will mean, when this power is fully developed, a rental to the National Government from the inhabitants of Colorado of from \$1,000,000 to \$2,117,000 a year. It must be remembered that every horsepower generated by falling water saves the burning on the average of 21 tons of coal each year.

If royalties are to be paid for the extraction of the precious and base metals, other millions will be turned into the Federal Treasury from the natural resources of our State. It may be that it will be proposed, as is done in the Forestry Department at Washington, that one-fourth of the receipts will be turned over to the State treasury, to be used only for certain purposes to be prescribed by the Federal Government. But is it equal or fair treatment to our Commonwealth for the Government to impose any tax whatever upon our natural resources, which it has never imposed upon the older and richer States of the Union? It must be remembered that the act of Parliament of Great Britain, imposing duties upon goods shipped to the 13 colonies, against which our forefathers rebelled, provided that the revenues derived therefrom should be expended in America for its protection and defense.

All taxes upon production must ultimately be paid by the consumer. Yea, more, such policy means that the people will have to pay additional prices for such products far in excess of the royalties which will be obtained by the National Government. It will put our people at a disadvantage in the struggle for industrial supremacy.

Of the entire Union, the mountain State of Colorado is the best protected territory from foreign invasion. Even without a navy or fortifications no hostile power could ever devastate our fair Commonwealth. Yet in the form of import duties and internal-revenue taxes we cheerfully contribute to the National Government our fair proportion, even if those revenues are largely spent in building *Dreadnoughts*, in constructing seashore fortifications, and in being prepared for war against a hostile nation. The last Congress appropriated over \$200,000,000 for those purposes. We have no navigable streams,

yet our Representatives in Congress cheerfully vote appropriations for improving the rivers and harbors of the country for internal and foreign commerce. In the Sixty-first Congress alone these appropriations for rivers and harbors amounted to \$88,902,830.

The State of Colorado pays into the National Treasury more than \$5,000,000 a year, which is its fair proportion of the revenues of the Government collected from all the States of the Union. But the Western States object most strenuously to paying additional millions, the effect of which must be to retard the development of their natural resources. It is bad enough to be compelled to exempt from taxation, until disposed of, the 15,000,000 acres of forest reserves and 9,000,000 acres of coal lands of the public domain in Colorado, and thereby make us pay an equivalent for these lands every 30 years and yet never own a foot of the same. But we can not, in addition to that, consent to a tax upon our natural resources, to be paid into the Federal Treasury.

ROYALTIES UPON WATER POWERS.

The excuse for imposing a tax and terms upon the water-power plants of our States is that Congress will prevent monopoly, whereas the State governments will not; that they at Washington are better able to administer local affairs than the people of the States in which the lands and the resources are situate.

It has been my good fortune to represent my State in Congress for nine years, and I and all other Members of Congress know that it is more difficult to pass through the United States Senate and House of Representatives an act which will present monopoly than it is to get through the general assemblies of the various States the same character of legislation.

When we realize that the National Government has given away in 43 different railroad grants lands aggregating 155,504,994 acres, it comes with poor grace from the Federal officers to say that they can conserve and administer the lands better than the people of the States wherein the lands are situate. These railroad grants comprise an area equal to that of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, West Virginia, and Ohio combined. If the Western States had donated to railroads one-tenth of such grants, such action would have been looked upon as the most horrible example of waste and extravagance, if not corruption, that had ever occurred in the history of the world.

The Supreme Court of the United States has determined time and again that the waters belong to the States and not to the National Government. Congress has only jurisdiction over navigable streams, and it can not interfere with the use of the waters of a State. In accordance with that belief, laws in every arid State in the Union have been enacted providing for the use of water for irrigation and for power purposes. The Supreme Court of the United States has sanctioned such laws and has held that they have always been in existence as laws of necessity.

The man who first applies the water to beneficial uses, either for irrigation or the generation of power, is entitled to priority of right to the flow of that water. We have a system of administering these waters. Water commissioners exist in 70 water districts of the State of Colorado. The water commissioners possess the power of turning water into ditches, according to their priority of right, and, when there is a scarcity of water, of shutting down the headgates of the ditches in the inverse order of their priority of appropriation.

The national officials now recognize the ownership of the water in the States, but in order to get some jurisdiction over the same they claim that inasmuch as the Government owns the lands lying along our streams that they will not grant

a permit or right of way to a power company to conduct the water along that land and by a steep descent send it back to the stream, thereby generating power, unless the owner of such power plant agrees to pay a royalty on the water which he uses and until he makes certain other terms which they may prescribe. This is simply doing indirectly what the Government can not do directly. It is annulling that inherent power of sovereignty in the States called eminent domain, by which rights of way can be condemned for great public enterprises. It was Secretary Garfield who two days before he retired from office revoked 40 permits for power plants to transmit their electricity across public lands. In several instances the electric plants had cost hundreds of thousands of dollars and were being operated. He no doubt thought he was doing right, but we thought he was doing a most egregious wrong to our States.

The people living in these public-land States are more interested in the development of their water powers than Congress or the officials at Washington. It is they who ultimately must pay the penalty if monopoly obtains possession of their water plants, and consequently they are sure to be more careful with respect to these water powers than the National Government. The fact that water-power plants can be operated every 5 or 6 miles of a mountain stream, and that in the Rocky Mountain States there can be generated by falling water 33,000,000 of horsepower, makes it almost impossible to create a monopoly, even if there were no laws to prevent the same. But it is absurd, under the present State laws, to talk about a monopoly of the water powers.

The owners of these water-power plants are simply public carriers, to transmit the power generated to be used for commercial purposes. They are expressly declared by statute in my State to be common carriers. They are identically in the same position as railroads. That the rates of railroads, or rates of power companies, can be made reasonable by the States has been settled too many times to need citation of authorities. It is absurd to say that the legislatures of the States will not curb and prevent excessive prices for the transmission of electrical power. If they should fail to do so, it is the right of the people in my State to initiate statutes which will compel reasonable rates. These laws constitute the guaranty that no monopoly in charges for electricity could possibly become permanent in the State of Colorado.

THIS POLICY WILL PRODUCE LANDLORDISM AND BUREAUCRATIC RULE.

The policy of the Nation holding in perpetuity great forest reserves and coal, gas, oil, phosphate, and mineral lands, and rights of way for water-power plants, and controlling the same, is an interference with local affairs which, according to our theory of government, should belong to the States.

It was the late Justice John M. Harlan, of the Supreme Court of the United States, who said:

"A National Government for national affairs and State governments for State affairs is the foundation rock upon which our institutions rest. Any serious departure from that principle would bring disaster upon the American system of free government."

The permanent administration of public lands in a State, sovereign as to all functions except those which were delegated to the National Government, is an interference with local affairs never before attempted in the history of this country. Such administration by a bureau at Washington, with its thousands of guards imported from other States patrolling these gigantic areas, can never be satisfactory to the people of the States in which such lands are situate. The bureau will always be controlled by officers who are not in sympathy with the people of such States. Carpetbag government of such local affairs is bound to

follow, with its antagonism to everything that interferes with the National Government's control and use of these reserves, which control and use we think are so destructive of the development of our States.

The Federal bureau can not want settlement of lands or location of mining claims upon these forest reserves, and its rules are and will be continuously harassing to those who desire to settle upon or locate mineral claims upon the same. I have no doubt the officers and employees of the Forestry Bureau are honest, but representing the National Government, which has a policy antagonistic to the public-land States, they naturally will favor its side, especially when they earnestly believe in that policy.

When timber reserves were first established it was the advocates of this forestry policy who contended that it was impossible to maintain forest reserves and yet permit the ownership of private property within the reservations; that the right of access to private lands through forest reserves for the owners of horses, cattle, sheep, and other live stock would interfere with the Government's use of the same.

It was not until Congress, seeing the serious interference with the development of the Western States, enacted a law opening such forest reserves to homestead and mineral entry that the advocates of this forestry policy yielded upon that point. It is asserted in Congress that during the years 1907 and 1908 the number of homesteads allowed on reserves was only 1,563, while the number of reservations for rangers' lodges, with adjacent land, during that same period was 3,227.

While it was well known that Congress was going to forbid the creation of any more forest reserves in Colorado, Wyoming, Idaho, Montana, Washington, and Oregon without its consent, the Senate, having passed the measure on February 25, 1907, and the House, on March 3, 1907, having concurred in the same, it was the advocates of this forestry policy who circumvented the effect of that law by inducing a President, on March 1 and 2, 1907, before he signed the bill, to establish by proclamation forest reserves to the extent of over 30,000,000 acres.

The Forestry Bureau knew full well the antagonism of the people of the Western States to these large reserves, and yet, while that bill guarding the interests of the West was about to become a law, forest reserves, mapped out and described by this Federal bureau, were established at its request.

Every time these foresters see a tract of land which has been cleared of timber they repeat the poem, "Woodman, spare that tree," and expostulate over the great waste of that natural resource. They do not seem to realize that every stick of timber so cut was used in the mines, in the erection of houses, and in other improvements necessary to man, and that the use has been most beneficial in the development of our country.

The timber cut upon the public domain in my State is infinitesimal compared to the losses by fire. It is not profitable to cut timber except near streams, where the logs can be floated to market, or where a railroad exists, which is usually along the streams. The lands cleared of timber are mere threads through these gigantic reservations. The people of the Western States have endeavored in every way possible to prevent forest fires, but the most destructive fire we ever had occurred since the Forestry Bureau had full control of the reservations. Those catastrophies will happen, and it is not the fault of either the State or the Forestry officials.

The discouragement to the prospector of mineral lands, by reason of the rules adopted by the Forestry Bureau, has been so great in my State that there are

now practically no prospectors left. And yet we know that the hills of our State have hardly been scratched in prospecting for the minerals therein contained. We believe that there are upon the public domain in Colorado many other mines as rich as those of Leadville, Cripple Creek, Creede, Aspen, Telluride, Ouray, and Silverton, and that, if prospecting were encouraged instead of discouraged, they would be found and developed. It is impossible for these reserves to be managed to the best interests of our people by a bureau administered two to three thousand miles away.

I wish to read an Associated Press dispatch as to the supervisors of the Forestry Bureau:

WASHINGTON, *October 7, 1908.*

The district foresters who will be in charge of the six field districts of the Forest Service, beginning January 1 next, have been selected by United States Forester Gifford Pinchot.

They and their headquarters are as follows:

District 1. Missoula, Mont., W. B. Greeley, of California.

District 2. Denver, Colo., Smith Riley, of Maryland.

District 3. Albuquerque, N. Mex., A. C. Ringland, of New York.

District 4. Ogden, Utah, Clyde Leavitt, of Michigan.

District 5. San Francisco, F. E. Olmstead, of Connecticut.

District 6. Portland, Oreg., E. T. Allen, formerly State forester of California.

Why is it that in the great State of Colorado, with its four-fifths of a million of population, with thousands of citizens familiar with our forests and mines, the Federal bureau should have to go to Maryland to find the district forester to govern the reserves of that Commonwealth? Why is it that Mr. A. C. Ringland, of New York, 2,000 miles away, must be brought to Albuquerque, N. Mex., to control the administration of forests, of which he could not have been one-tenth as familiar as many of the citizens of that locality? For what reason should Mr. Clyde Leavitt, of Michigan, be imported into Utah for the administration of forest affairs there when there are thousands with better knowledge as to the preservation and care of the same living in that State? And why should Mr. F. E. Olmstead, of Connecticut, be taken clear across the continent to San Francisco to control the reservations of that Commonwealth? Of the six district foresters not a single one appointed was from the State in which the forest reserves are situate. Is that the kind of rule you would like to have imposed upon you?

The employees of the forest reservations of the West consist of 243 forest rangers, 1,050 assistant forest rangers, 558 forest guards, 2 game wardens, and 6 hunters and trappers. I have no doubt that three-fourths of those employees are not citizens of the Commonwealth in which they do their work. I have heard it stated that the former chief of the Forestry Department said that when these reserves were scientifically managed it would require 100,000 employees. It must be remembered that in the Declaration of Independence our forefathers arraigned King George III in these words: "He has erected a multitude of new offices, and sent thither swarms of officers, to harass our people and eat out their substance." The people of the South have felt the effect of carpetbag government in a reign of misrule and corruption unequalled in the history of the world. It was that experience which brought the American people to a realization that home rule is to the best interest of a State.

Why impose upon the Western States a rule which interferes with what they think are the rights belonging to the States:

First. Which will make the people of those States, by taxation upon their own land for government over all the lands, pay for these reserves every 30 years without owning any of the same?

Second. Which, in addition to the burdens imposed upon those States for the support of the National Government, will compel them to pay millions of dollars into the Federal Treasury as taxes upon their natural resources, which no other States have been required to do? And

Third. Which must foist upon those States landlordism and a bureaucratic control of these great reserves, which policy in the administration of government has always proven a failure?

Heed the advice of the great Justice of the Supreme Court—let our Government be “a National Government for national affairs and State governments for State affairs,” and then there will follow a development of the resources of the Rocky Mountain region which will be the marvel and wonder of the world.

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